

# WEEKLY UPDATE



*For the 2022 Legislative Session*

**FROM JANUARY 14, 2021**

With the first week of the 2022 Legislative Session under our belts, please take a moment to watch the Governor's State of the State address at the link below!



## **AGRICULTURE**

### **SB 1000 - Relating to Nutrient Application Rates**

On Monday, January 10, [SB 1000](#) by Senator Ben Albritton (R-Bartow) was heard by the Senate Environment and Natural Resources Committee and was reported favorable with 4 yeas and 0 nays. The bill allows certified crop advisors to recommend preferred fertilizer rates to tailor nutrient application rates. The bill provides that producers using rate tailoring are required to enroll in and implement applicable best management practices (BMPs) adopted by the Department of Agriculture and Consumer Services. **AIF's Vice President of Governmental Affairs, Adam Basford, stood in support of this legislation.**

**AIF supports legislative efforts to establish uniform nutrient application regulations thus removing the patchwork of regulations that Florida’s farmers must navigate and encouraging best management practices.**

## **BUSINESS REGULATION**

### **SB 994 – Relating to Pet Protection**

On Tuesday, January 11, [SB 994](#) by Senator Manny Diaz (R-Hialeah Gardens) was heard by the Senate Regulated Industries Committee and was reported favorable with 5 yeas and 2 nays. **AIF’s Vice President of Governmental Affairs, Adam Basford, stood in support of this legislation.**

The bill creates the “Florida Pet Protection Act” to require the licensing of retail pet stores in Florida through the Department of Business and Professional Regulation (DBPR) that sell/offer/broker household pets such as domestic cats and dogs. The bill establishes health, safety, and welfare protections in Florida for dogs, cats, and other animals sold through pet dealers or pet stores. The bill holds them to a higher standard than federal regulations. As we have seen in other parts of the country, pet store bans do not work. In California, where pet stores were banned in 2019, demand for puppies did not decrease and instead, consumers flocked to the black market leading to increased fraud and unhealthy animals.

SB 994 will now go to the Senate Community Affairs Committee.

**AIF supports legislation that strengthens protections for lawful businesses engaged in pet sales while curbing nefarious breeders who take advantage of consumers and pets and cast a negative image on the industry. This legislation will protect businesses and allow them to operate under one regulatory framework rather than a patchwork of local rules.**

### **SB 280 – Relating to Local Ordinances**

On Wednesday, January 12, [SB 280](#) by Senator Travis Hutson (R-Palm Coast) was heard by the Senate Community Affairs Committee and was reported favorable with 6 yeas and 2 nays. **AIF’s Vice President of Governmental Affairs, Adam Basford, stood in support of this legislation.**

The amended bill pertains to the passage and challenging of local ordinances by affected businesses and requires counties and cities to produce a “business impact estimate” prior to passing an ordinance. The estimate must be published on the local government’s website and include information such as the proposed ordinance’s purpose, estimated economic impact on

businesses, and compliance costs. The bill imposes the below conditions on lawsuits brought to challenge local ordinances:

- Requires the local government to suspend enforcement of an ordinance of such legal challenge;
- Requires the court to give those cases in which enforcement of the ordinance is suspended priority over other pending cases and render a preliminary or final decision as expeditiously as possible;
- Outlines specific factors the court must consider in determining if an ordinance is arbitrary or unreasonable;
- Provides up to \$50,000 in attorney fees to a complainant who successfully challenges an ordinance as arbitrary or unreasonable.

SB 280 will now go to the Senate Judiciary Committee.

**AIF supports legislation that grants businesses the right to challenge in court unjust and arbitrary local ordinances that create barriers to business which leads to jobs lost and a decelerated economy. Business is the lifeblood of Florida and owners deserve the right to protect their livelihood.**

### **HB 569 – Relating to Business Damages Caused by Local Governments**

On Thursday, January 13, [HB 569](#) by Representative Lawrence McClure (R-Plant City) was heard by the House Civil Justice & Property Rights Subcommittee and was reported favorable with 12 yeas and 5 nays. **AIF’s Vice President of Governmental Affairs, Adam Basford, stood in support of this legislation.**

The bill creates a mechanism for a Florida business owner to recover business damages related to government action in specified circumstances. Specifically, the bill:

- Entitles a business that has engaged in lawful business in Florida for at least three years to claim business damages if the county or municipality enacts or amends an ordinance or charter provision that will cause a reduction of at least 15% of the business’s profit;
- Excludes specified ordinances and charter provisions from the scope of the bill, including certain emergency ordinances;
- Authorizes one-way attorney fees and costs for a prevailing business and specifies the mechanism for calculating such fees and costs;
- Specifies information that must be stated in a complaint for business damages and how the business damages determination will be made at trial.

HB 569 will now go to the House Local Administration and Veterans Affairs Subcommittee.

**AIF supports legislation that grants businesses the right to challenge in court unjust and arbitrary local ordinances that create barriers to business which leads to jobs lost and a decelerated economy. Business is the lifeblood of Florida and owners deserve the right to protect their livelihood.**

## ECONOMIC DEVELOPMENT

### SB 946 - Relating to the Entertainment Industry

On Monday, January 10, [SB 946](#) by Senator Joe Gruters (R-Sarasota) was heard by the Senate Commerce and Tourism Committee and was reported favorable with 9 yeas and 1 nay. The bill creates the Targeted High Wage Production Rebate Program within the Department of Economic Opportunity (DEO) to give tax credits on qualified expenditures to film, television, and digital media production projects. The bill requires the projects to employ a crew of which 60% are Florida residents and spend at least 70% of their production days in the state. A project would receive a tax credit after it has completed production and its expenditures have been verified by the DEO. **AIF's Legislative Affairs Assistant, BD Jogerst, stood in support of this legislation.**

SB 946 will now go to the Senate Finance and Tax Committee.

**AIF supports legislation that expands the state's entertainment industry while also increasing tourism in the state which creates jobs and furthers the state's economic growth.**

## ENERGY

### SB 1024 - Relating to Net Metering

On Tuesday, January 11, [SB 1024](#) by Senator Jennifer Bradley (R-Orange Park) was heard by the Senate Regulated Industries Committee and was reported favorable with 6 yeas and 2 nays. **AIF's Vice President of Governmental Affairs, Adam Basford, stood in support of this legislation.**

Net metering is a metering and billing methodology where customer-owned renewable generation (such as rooftop solar panels) is allowed to offset the customer's electricity consumption from utility providers. Under net metering, customers are credited for excess energy produced which flows back to the grid. A meter is used to record both electricity drawn from the grid and excess electricity that flows to the grid from the customer.

Under the bill, the Public Service Commission must propose a revised net metering that meets the following criteria:

- Rate structures and billing must ensure that customers owning or leasing renewable generation systems pay the full cost of electric service and are not subsidized by the general body of ratepayers;
- All energy delivered by the public utility must be purchased at the applicable retail rate;
- All energy delivered by a customer generation system to the public utility must be credited to the customer at the public utility's full cost; and
- Net metering billing may include fixed charges, base facilities charges, electric grid access fees, or monthly minimum bills to ensure that the public utility recovers the fixed costs of serving those customers and that the general body of ratepayers does not subsidize customer renewable generation systems.

SB 1024 will now go to the Senate Community Affairs Committee.

**AIF supports legislation that allows Florida's utility providers to best serve the state and the businesses located here while reducing the financial burden passed on to the general customer base.**

## LEGAL & JUDICIAL

### **SB 7014 - Relating to COVID-19-related Claims Against Health Care Providers**

On Thursday, January 13, [SB 7014](#), sponsored by the Senate Judiciary Committee, was heard by the Senate Rules Committee, and was reported favorable with 11 yeas and 5 nays. **AIF's Vice President of Governmental Affairs, Adam Basford, stood in support of this legislation.**

The bill extends the length of time that health care providers receive liability protections from COVID-19-related claims. According to legislation passed during the 2021 Legislative Session, liability protections from COVID-19-related claims apply to claims accruing within 1 year after the effective date of the act, which was March 29, 2022. The bill extends the application period of the liability protections, making them applicable to claims accruing before June 1, 2023. The net result of the bill is to extend the liability protections for about 14 months, from March 29, 2022, to June 1, 2023.

SB 7014 will now go to the Senate floor for consideration.

**AIF supports legislation that protects the Florida health care community, who has been on the frontline during the pandemic, from frivolous and costly litigation by plaintiffs suing to settle.**

## TRANSPORTATION

### **SB 474 – Relating to Recreational Off-highway Vehicles**

On Wednesday, January 12, [SB 474](#) by Senator Keith Perry (R-Gainesville) was heard by the Senate Transportation Committee and passed unanimously. **AIF’s Legislative Affairs Assistant, BD Jogerst, stood in support of this legislation.**

This bill increases the dry weight allowed for recreational off-highway vehicles (ROV) from 2,500lbs to 3,500lbs. This increase is necessary to allow for the development of electric powered ROVs because the battery components often weigh significantly more than internal combustion vehicles.

SB 474 will now go to the Senate Rules Committee.

**AIF supports legislation that encourages revisions to outdated regulations that bolster the business climate and drive competition for new and better products for Florida’s businesses and consumers.**